

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ELMORE NICHOLS, JR., #129913,)	
)	
Plaintiff,)	
)	
v.)	CASE NO.: 2:06-cv-911-MHT
)	(WO)
JEFFERY KNOX,)	
)	
Defendant.)	

ORDER

The magistrate judge entered a recommendation (Doc. #19) in this case to which no timely objections have been filed. After a review of the recommendation and after an independent and de novo review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is ORDERED that :

- (1) The recommendation (Doc. #19) of the magistrate judge is adopted.
- (2) Defendant's special report (Doc. #11) is treated as a motion for summary judgment and said motion is granted.

An appropriate judgment will be entered.

DONE, this the 19th day of May, 2009.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE